

January 28, 1986.

Philip Skipp, Atty.  
Chestertown, Md.

Dear Phil:

I have researched the Land Records in order to try to determine whether the two parcels described in the deed to Walter Fithian are two separate parcels or are two descriptions of the same lot. Both have roughly the same dimensions and both refer to being adjacent to Lot #1.

Running back the title to RAS 3/172, I found the "being clause" referred to two separate deeds. I traced the first deed (JTD 28/369) back to SGF 3/42 where James Apsley sold 1 acre, 1 rood, 36 perches to Emma Coleman. She sold part of this land to George Coleman (JTD 15/239), and George Coleman sold to Wirt or Wirts (JTD 28/369) by the same description as is shown in Parcel 1 of the Fithian deed. The first line of this description calls for running along the division line between this lot and the lands of Emma Wilkins and Hannah Gunthrie.

I ran back the second deed referred to in RAS 3/172. In SGF 1/117, Lydia Apsley sold to James Casey a lot with the same description as is carried in Parcel 2 of the Fithian deed. This I ran forward to JTD 28/495 where Emma A. Wilkins and Hannah B. Gunthrie sold it to George Wirt. I presume that this is the same lot that Parcel 1 is said to be adjacent to. If so, The Fithian deed described two separate lots.

There are a few loose ends. I never found what happened to the remainder of the Emma Coleman property. Did Emma Coleman become Emma Wilkins? The name Apsley appears in the chain of title of both parcels, and I never found any record of the plat of the division of the Maslin land.

Based upon what research that I have done, it is my conclusion that the Fithian deed described two separate and distinct lots.

Sincerely yours,

Index Lydia Apsley

JTD 1

of Edward H. Apsley JTD 7/275 X

SGF 1/106 (117) Apsley to Casey 1892 same desc. - no being

" 5/173

JTD 1/134

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SB2/292 Geo. Maslin to James E. Apsley

Begin stone NE cor. at NW cor. Jas. Apsley

w/ Apsley  $522^{\circ}E-7.04$  to stone

w/ line  $571^{\circ}4'W-12.68$  across rd. to stone near gum

w/ W side rd.  $N19^{\circ}6'W-7.04$  to stone

st. line to begin

DCB2/482 Maslin to Apsley

Begin stone W side rd. at SW cor. Maslin

$N71^{\circ}4'E-12.68$  to stone  $\frac{1}{2}$  Apsley

$N20^{\circ}W-16$

$571^{\circ}4'W-12.68$

$520^{\circ}E-16$  to begin

JKH 11/366 Stephen to Apsley

Being JKH 3/218  $S\frac{1}{2}E$  JKH 6/198

montage and  
SGF 3/42 James E. Apsley to Emma Coleman  
& Lydia  
1A, 1R, 36P.

see descrip

1907

JTD 15/239 Emma Coleman to Geo. F. Coleman - part of above

Begin & rd. on line of Casey

w/s N 71½° E-12 etc.

no record in index  
of conveyances out of Coleman

~~Emma~~  
JTD 28/369 Coleman to Wirts

~~Emma~~ Begin & rd. on div. line with Emma Wilkins and  
Hannah Gunther

N 71½° E-12

--- ↘ RAS 3/169

SGF 1/117 - Lydia Apsley to James Casey

Begin & rd on line with S line of R/w

--- ↓

JTD 28/495 Emma A. Wilkins and Hannah B. Gunther  
to Geo. Wirt

↓

JTD 30/492 - Apsley to Wirts

↓

RAS 3/169

N 71 1/2° E - 12 to stone in ditch

S 20 1/2° E - 6 to Lot #1

S 72 3/4° W - 12.8 to E rd. Lot 2

N 20° W - 5.7 to begin

Begin E rd on line with S line of R/W

70 1/2° E - 11.5

S 21 3/4° E - 5.4 to Lot #1

S 72° W - to E rd.

N 21° W - 5.2 to begin

- Lot 2 on ground plot  
of Martin Harris

Being Lydia Apsey to  
James A. Casey  
1913

Being RAS 26/375

" 3/172

JTD 28/369

JTD 30/492

JTD 15/239

JTD 28/495

Apsey to  
Wirts

Emma A  
Wirts to Wirts

part of - JGF 3/42

Begin Stone on Wirt land near gate post

S 72 1/2° W - 11.7 to E rd.

W/S N 19 1/2° W 12.4 to Casey

N 71 1/2° E - 11.5 to stone at margin of ditch

S 21° E - 5.7 to "

N 45 1/2° E - 12.1

S 52° E - 6.9 to Stone

S 47° W - 15.8 to begin

1A 1R 36P

Being James E. Apsey - JKH 11/366, DCB 2/482, SBZ/292

EHP

BOOK 077 PAGE 402

NOV -4-77 B 12 082 \*\*\*\*\*120.00  
 NOV -4-77 B 12 081 \*\*\*\*\*39.60  
 NOV -4-77 B 12 080 \*\*\*\*\*10.00

THIS DEED, Made this 3rd day of November, in the year

one thousand nine hundred and seventy-seven by and between HELEN C. GRANT, widow, and W. STANLEY GRANT, 111, her son, of Kent County, in the State of Maryland, of the One Part; and WALTER W. FITHIAN and MILDRED E. FITHIAN, his wife, of Kent County, in the State of Maryland, of the Other Part,

W I T N E S S E T H

that in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Helen C. Grant, widow, and W. Stanley Grant, 111, her son, do grant and convey unto the said Walter W. Fithian and Mildred E. Fithian, his wife, as tenants by the entireties, to the survivor of them and to the survivor's heirs and assigns, in fee simple, ALL that lot, piece or parcel of land, situate, lying and being in the Fifth Election District of Kent County, State of Maryland, and lying on the East side of the public road leading from Rock Hall to Tolchester Beach, near the town of Rock Hall and known as lot numbered two (2) on the ground plot of the Maslin heirs' land, and described as follows:

BEGINNING for the first thereof at a point in the centre of said road in a line with the division line between the lot now being conveyed and the land of Emma Wilkins and Hannah Gunthrie; and running thence and binding on said lands north seventy-one and one-half degrees east twelve perches to a stone set on the margin of a ditch at Joseph Downeys' land; thence with said land south twenty and one-half degrees east six perches to lot numbered one; thence with said lot south seventy-two and three-fourths degrees west twelve and eight tenths perches to the centre of said road; thence binding on said road north twenty degrees west five and seven-tenths perches to the beginning point. Containing one rood and thirty-one perches of land, more or less.

BEGINNING for the second thereof at a point in the centre of the beforementioned Public Road on a line with the south line of a right of way; and running thence by and with that line seventy and one-half degrees east eleven and five-tenths perches to a point; thence south twenty-one and three-fourths degrees east five and four-tenths perches to lot numbered one (1); thence south seventy-two degrees west to the centre of said road; thence north twenty-one degrees west five and two-tenths perches to the beginning.

BEING the same property conveyed by Alice Grant and Russel C. Grant, her husband to W. Stanley Grant, Jr., et al, by deed dated May 3, 1969, and recorded among the Land Records for Kent County, Maryland, in Liber E.H.P. No. 31, folio 286.

RECEIVED  
 Nov 4 2 25 PM '77  
 CLERK-CIRCUIT COURT  
 KENT COUNTY

ROGERS & SKIPP  
 ATTORNEYS AT LAW  
 CHESTERTOWN, MARYLAND  
 TELEPHONE 778-3400

Mailed to Walter W. Fithian 11-15-77

REFERENCE to which deed and to the deed or deeds therein mentioned is to be made for a further description of these premises and for title.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises herein described, unto and to the use of the said Walter W. Fithian and Mildred E. Fithian, his wife, as tenants by the entireties, to the survivor of them and to the survivor's heirs and assigns, in fee simple.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

WITNESS:

*Arthur S. Spencer*  
*Arthur S. Spencer*

*Helen C. Grant* (SEAL)  
Helen C. Grant

*W. Stanley Grant III* (SEAL)  
W. Stanley Grant, III

STATE OF MARYLAND, COUNTY OF KENT, to wit:

I HEREBY CERTIFY, that on this 3 day of November, 1977, before me, the subscriber, a Notary Public of the State of Maryland, and County of Kent, personally appeared Helen C. Grant and W. Stanley Grant, III, her son, and they acknowledged, the foregoing Deed to be their act.

WITNESS my hand and Notarial Seal.

*Arthur S. Spencer*  
Notary Public

ROGERS & SKIPK  
ATTORNEYS AT LAW  
CHESTERTOWN, MARYLAND  
TELEPHONE 778-3400

My Commission Expires:

July 1, 1978

Nov 4 1977 THE FOREGOING Deed FILED FOR RECORD AND IS  
ACCORDINGLY RECORDED AMONG THE LAND RECORDS OF KENT COUNTY, MD.  
IN LIBER Book NO. 23 FOLIOS 402 & 403  
Carl H. Spender CLERK

BOOK 077 PAGE 403



RECEIPT NO. A10149

THIS DEED, Made this 3rd day of May, in the year one thousand nine hundred and sixty-nine by and between ALICE GRANT and RUSSELL C. GRANT, her husband, of the City of Wilmington, in the State of Delaware, of the One Part; and W. STANLEY GRANT, JR., and HELEN C. GRANT, his wife, and W. STANLEY GRANT III, of Kent County, State of Maryland, of the Other Part,

W I T N E S S E T H

that in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Alice Grant and Russell C. Grant, her husband, do grant and convey unto the said W. Stanley Grant, Jr., and Helen C. Grant, his wife, and W. Stanley Grant III, as joint tenants, with the right of survivor ship and not as tenants in common, to the survivor of them and to the survivor's heirs and assigns, in fee simple, ALL that lot, piece or parcel of land, situate, lying and being in the Fifth Election District of Kent County, State of Maryland, and lying on the east side of the public road leading from Rock Hall to Tolchester Beach, near the town of Rock Hall and known as lot numbered two (2) on the ground plot of the Maslin heirs' land, and described as follows:

BEGINNING for the first thereof at a point in the centre of said road in a line with the division line between the lot now being conveyed and the land of Emma Wilkins and Hannah Gunthrie; and running thence and binding on said lands north seventy-one and one-half degrees east twelve perches to a stone set on the margin of a ditch at Joseph Downeys' land; thence with said land south twenty and one-half degrees east six perches to lot numbered one; thence with said lot south seventy-two and three-fourths degrees west twelve and eight tenths perches to the centre of said road; thence binding on said road north twenty degrees west five and seven-tenths perches to the beginning point. Containing one rood and thirty-one perches of land, more or less.

BEGINNING for the second thereof at a point in the centre of the beforementioned Public Road on a line with the south line of a right of way; and running thence by and with that line seventy and one-half degrees east eleven and five-tenths perches to a point; thence south twenty-one and three-fourths degrees east five and four-tenths perches to lot numbered one (1); thence south seventy-two degrees west to the centre of said road; thence north twenty-one degrees west five and two-tenths perches to the beginning.

BEING the same property conveyed by Mary E. Fritzges to Alice Grant by deed dated April 15, 1941, and recorded among the Land Records for

EHP



Kent County, Maryland, in Liber R.A.S. No. 26, folio 375. In said deed said Grantor, Mary E. Fritzges, reserved a life interest which terminated upon death of said Mary E. Fritzges on or about March 4, 1969.

REFERENCE to which deed and to the deed or deeds therein mentioned is to be made for a further description of these premises and for title.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises herein described, unto and to the use of the said W. Stanley Grant, Jr., and Helen C. Grant, his wife, and W. Stanley Grant III, as joint tenants, with the right of survivorship and not as tenants in common, to the survivor of them and to the survivor's heirs and assigns, in fee simple.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

Witness:

Anthony Liberky  
Anthony Liberky

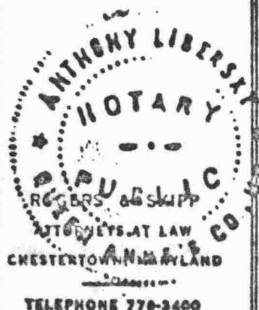
Alice Grant (SEAL)  
Alice Grant  
Russell C. Grant (SEAL)  
Russell C. Grant

STATE OF Maryland, COUNTY OF Kent, to wit:

I HEREBY CERTIFY, that on this 3rd day of May, 1969,

before me, the subscriber, a Notary Public of the State and County afore-  
said, personally appeared Alice Grant and Russell C. Grant, her husband, and they acknowledged, the foregoing Deed to be their act.

WITNESS my hand and Notarial Seal.



My Commission expires: MAY 5, 1969  
THE FOREGOING Deed Anthony Liberky  
FILED FOR RECORD AT  
IN LIBER 31 NO. 31 Notary Public  
Charles H. O'Connell CLERK